



PATENT

ATTORNEY DOCKET NO. 044574-5022-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dario C. ALTIERI

Application No.: 09/690,825

Filed: October 18, 2000

For: SURVIVIN, A PROTEIN THAT INHIBITS
CELLULAR APOPTOSIS AND ITS
MODULATION

Group Art Unit: 1642

Examiner: K. Canella, Ph.D.

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated May 29, 2002.
2. Additional papers enclosed:
 - ☒ Submission of Formal Drawings with 27 sheets Formal Drawings (Figs. 1-17)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

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5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	118	minus	125	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	6	minus	24	0	x \$84 each=	+ \$
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$0.00
Reduction by 2 for filing by a small entity						- \$
TOTAL FEE =						\$ 0.00

6. Fee Payment

- ☒ The Commissioner is hereby authorized to charge **\$110.00** (for a one-month Extension of Time) to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: September 26, 2002

By: 

Sally P. Teng
Reg. No. 45,397

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20036-5869
202-739-3000

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,960.00	\$980.00

Extension of time fee due with this request: **\$110.00**

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for __ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §' 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).



Amend E / #11
EXT. (1) J 10/23.02

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Sir:

AMENDMENT UNDER 37 C.F.R. §1.111

This paper responds to the Office Action dated May 29, 2002 (Paper No. 10). An extension of time for one month is being filed concurrently, thereby extending the period of response to September 29, 2002.

Applicant respectfully request reconsideration of this application in view of the following amendments and remarks.

Kindly amend the application as follows:

Formal Drawings:

Applicant respectfully submits with this response 27 sheets of formal drawings for figures 1-17.

In the Specification:

Please replace the paragraph beginning at page 5, line 28 with the following rewritten paragraph:

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01 FC:115 110.00 CH